

CERTIFIED FOR PUBLICATION

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT
(Sacramento)

SAVIENT PHARMACEUTICALS, INC.,

Plaintiff and Appellant,

v.

DEPARTMENT OF HEALTH SERVICES et al.,

Defendants and Respondents,

RAMSELL CORPORATION,

Real Party In Interest and
Respondent.

C050171

Sup. Ct. No. 04CS00084

MODIFICATION OF OPINION

APPEAL from a judgment of the Superior Court of Sacramento County, Raymond M. Cadei, Judge. Reversed with directions.

Richard M. Ross for Plaintiff and Appellant.

Bill Lockyer, Attorney General, Thomas R. Yanger, Senior Assistant Attorney General, Joseph O. Egan and Michael V. Hammang, Deputy Attorneys General, for Defendants and Respondents.

Collette, Erickson, Farmer & O'Neill, William S. Farmer and John J. O'Neill for Real Party In Interest and Respondent.

THE COURT:

The opinion filed herein on January 23, 2007, is modified
in the following manner:

On page 10, delete *Consulting Engineers & Land Surveyors of
Cal., Inc. v. Professional Engineers in Cal. Govt.* (2006) 140
Cal.App.4th 466, 471, cited on line 14.

This modification does not change the judgment.

THE COURT:

DAVIS, Acting P.J.

MORRISON, J.

HULL, J.